

REMARKS

Applicants have now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of November 25, 2009. Claims 4, 7, 13 and 19 have been canceled. Claims 9-12, and 15 have been amended. Claims 1, 3-6, 8-12, 14-18 and 20 remain in the application.

Reconsideration of the Application is requested.

The Office Action

Claims 1-2,9 -10, 12, 15 - 16, and 18 have been rejected under 35 U.S.C. 103(a) as being unpatentable over US 6,697,858 to Ezerzer et al. (Ezerzer) in view of US 6,111,947 to Galgano, Jr. et al. (Galgano), and further in view of US 6,188,761 to Dickerman et al. (Dickerman).

Regarding claim 1, the Examiner asserts Ezerzer et al. discloses a multi-tenant call management system hosting a plurality of processes including a plurality of tenant application processes and a plurality of system processes, which includes a method of configuring and monitoring said processes on said system. The Examiner further asserts Ezerzer discloses configuring said system (see column 13, lines 45 - 67; column 15, lines 15 - 42) by grouping selected processes into a plurality of tenant groups(column 3, lines 1 - 7,41 - 67; column 13, lines 55 - 58).

However, Claim 1 claims "configuring said system in a configuration file, said configuring including:

- defining dependencies between said plurality of processes,
- defining a monitoring frequency for each of said plurality of processes,
- defining a priority for each of said plurality of processes, and
- grouping selected processes of said plurality of processes into tenant groups..."

Ezerzer does not teach or suggest any of these claim limitations. Rather, Ezerzer teaches the use of an Administration Manager interface which can be used by the administrator of a call center to add, modify and remove projects, as well as automatically assign dedicated resources (see column 3, lines 1 - 7,41 - 67). There is no mention of the Administration Manager interface configuring the system by configuring processes in a configuration file, the file including grouping selecting

processes into tenant groups, as claimed. Rather, as disclosed in column 13, lines 45 - 67, the administrator of the call center can create a CALL CENTER hardware configuration record using the Administration Manager interface. However, even this hardware configuration record is not a single centralized file for use in starting the plurality of processes as claimed. Ezerzer only teaches the use of a database to link hardware configuration records which is not applicable to claim 1.

The Examiner further asserts Galgano discloses a method for the purpose of routing telephone calls to operator consoles wherein a plurality of configuration files for the call routing system comprise defined dependencies, priorities, and monitoring frequencies for processes wherein processes are started in correspondence to said dependencies and priorities and monitored based on said monitoring frequencies. The Examiner asserts Galgano discloses this by teaching "*On startup, the BOSS component reads configuration files to determine which processes it is to start, how to start the processes, the shutdown order of the processes, the heartbeat intervals for the processes...*"

However, the BOSS system must read through several configuration files providing the same drawback of the prior art discussed in paragraph [0007] of the Background of the Invention as well as paragraph [0033] which also discusses how the embodiment claimed in claim 1 solves this drawback. There is no mention of startup priorities, only shutdown priorities in Galgano. Also, there is no mention of defining dependencies between the plurality of processes since each has its own configuration file. This problem is addressed by the Applicant, in the inventive manner as claimed in claim 1.

The Examiner further asserts that since Dickerman, et al. discloses a method for the purpose of providing operator and customer services wherein processes are started after reading a single configuration file, claim 1 would necessarily be obvious in light of the combined teachings of Ezerzer, Galgano and Dickerman.

Applicant respectfully disagrees. Dickerman merely states that a configuration file indicates which processes should be started at startup, providing no information about process priorities, dependencies, monitoring frequencies, or the claimed tenant group groupings, as claimed in claim 1. The combined teachings of Ezerzer, Galgano

and Dickerman does not solve the problem of making appropriate configuration changes more simple and easy to implement by using a single configuration file for startup, as claimed in claim 1. Therefore, claim 1 and claims depending therefrom patentably distinguishes over Ezerzer in view of Galgano and further in view of Dickerman.

Claims 3 - 6, 11, and 17 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Ezerzer et al. (US 6,697,858) in view of Galgano, Jr. et al. (US 6,111,947), and further in view of Dickerman et al. (US 6,188,761), and further in view of Holenstein et al. (US 2005/0021567).

Regarding claim 6, the Examiner asserts Ezerzer and Galgano teach said HA Monitor process broadcasting a respective state of each of said monitored processes to all remaining nodes, as claimed. Applicant respectfully disagrees. There is no teaching of this in Ezerzer. There is no teaching of this in Galgano, since the BOSS component does no such broadcasting to all remaining nodes. Also, none of the cited references teaches or suggests "watching said HA Master process with an HA Master Watcher process running on the same node as the respective HA Master process, said HA Master Watcher process starting and stopping said watched HA Master process in response to a state of said HA Master Process", as claimed. For these reasons, claim 6 patentably distinguishes over Ezerzer in view of Galgano and further in view of Dickerman and further in view of Holenstein.

Regarding claim 9, the Examiner stated it would be obvious to one of ordinary skill in the art to modify the teachings of Ezerzer with the teachings of Galgano to use a configuration file for starting the plurality of processes as claimed.

Applicant respectfully disagrees. Neither Ezerzer nor Galgano teaches the use of a single configuration file for starting the plurality of processes as claimed. Further, claim 9 is patentable over Ezerzer in view of Galgano and further in view of Dickerman for reasons similar to those provided above with reference to claim 1.

Regarding claim 12, this claim is patentable for reasons similar to those provided above with reference to claim 6.

Regarding claim 15, this claim is patentable over Ezerzer in view of Galgano and further in view of Dickerman for reasons similar to those provided above with reference to claim 1.

Regarding claim 18, this claim is patentable for reasons similar to those provided above with reference to claim 6.

CONCLUSION

For the reasons detailed above, it is respectfully submitted all claims remaining in the application (Claims 1, 3-6, 8-12, 14-18 and 20) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

☒ Remaining Claims, as delineated below:

(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT LESS HIGHEST NUMBER PREVIOUSLY PAID FOR		(3) NUMBER EXTRA
TOTAL CLAIMS	16	- 20 =	0
INDEPENDENT CLAIMS	3	- 3 =	0

☒ This is an authorization under 37 CFR 1.136(a)(3) to treat any concurrent or future reply, requiring a petition for extension of time, as incorporating a petition for the appropriate extension of time.

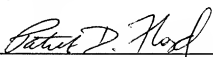
☒ The Commissioner is hereby authorized to charge any filing or prosecution fees which may be required, under 37 CFR 1.16, 1.17, and 1.21 (but not 1.18), or to credit any overpayment, to Deposit Account Number 06-0308.

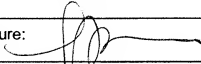
In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to telephone Patrick D. Floyd, at 216.363.9000.

Respectfully submitted,

Fay Sharpe LLP

March 25, 2010
Date


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